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8 Attorneys for Plaintiff WAYNE RUDEN

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10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 IN RE: Bard IVC Filters Product  
13 Liability Litigation

14 Case No. 2:15-MD-02641-DGC

15 **DECLARATION OF DAVID ONGARO**  
16 **IN SUPPORT OF PLAINTIFF WAYNE**  
17 **RUDEN'S MOTION TO VACATE**  
18 **CONDITIONAL TRANSFER ORDER**

19 Complaint Filed: October 7, 2015

20 **\*ORAL ARGUMENT REQUESTED\***

1 I, David Ongaro, declare as follows:

2 1. I am an attorney licensed to practice law in California. I am an attorney  
3 with the law firm of Ongaro PC, attorneys of record for plaintiff Wayne Ruden in the  
4 above captioned matter. I am one of the attorneys working on the defense of this matter  
5 for Mr. Ruden. The facts set forth herein are of my own personal knowledge and if  
6 called upon to testify, I could and would do so competently. I submit this declaration in  
7 support of Mr. Ruden's Motion to Vacate Conditional Transfer Order.

8 2. Attached as **Exhibit A** is a true and correct copy of Mr. Ruden's First  
9 Amended Complaint, filed in the Northern District of California, Case No. Case No.  
10 4:15-cv-05189-JSW ("N.D. Cal. Case"), Docket # 31 therein.

11 3. Attached as **Exhibit B** is a true and correct copy of C.R. Bard, Inc.'s and  
12 Bard Peripheral Vascular, Inc. ("Bard")'s Notice of Removal filed in the N.D. Cal. Case,  
13 Docket # 1 therein, without attachments.

14 4. Attached as **Exhibit C** is a true and correct copy of Mr. Ruden's Motion for  
15 Remand filed in the N.D. Cal. Case, Docket # 38 therein.

16 5. Attached as **Exhibit D** is a true and correct copy of Mr. Ruden's Re-Notice  
17 of Hearing re: Motion for Remand filed in the N.D. Cal. Case, Docket # 40 therein.

18 6. Attached as **Exhibit E** is a true and correct copy of Bard's Notice of  
19 Pendency of Other Actions filed in the N.D. Cal. Case, Docket # 7 therein.

20 7. Attached as **Exhibit F** is a true and correct copy of Bard's Motion for Stay  
21 filed in the N.D. Cal. Case, Docket # 12 therein.

22 8. Attached as **Exhibit G** is a true and correct copy of California Pacific  
23 Medical Center's Opposition to Bard's Motion for Stay filed in the N.D. Cal. Case,  
24 Docket # 27 therein.

25 9. Attached as **Exhibit H** is a true and correct copy of Mr. Ruden's  
26 Opposition to Motion for Stay filed in the N.D. Cal. Case, Docket # 33 therein.

27 10. Attached as **Exhibit I** is Bard's Reply re: Motion for Stay filed in the N.D.  
28 Cal. Case, Docket # 41 therein.

1 I declare under the penalty of perjury under the laws of the State of California that  
2 the foregoing is true and correct, and that this declaration was executed on December 15,  
3 2015, in San Francisco, California.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 15th day of December, 2015, a copy of the foregoing was served electronically and notice of the service of this document will be sent to all parties by operation of the Court's electronic filing system to CM/ECF participants registered to receive service in this matter. Parties may access this filing through the Court's system.

/s/ David Ongaro

David Ongaro